



January 11, 2005

Mr. G. John Heyer
The President's Committee for Purchase from
People Who Are Blind or Severely Disabled
1421 Jefferson Davis Highway,
Jefferson Plaza 2, Suite 10800
Arlington, VA, 22202-3259

Dear Mr. Heyer:

On behalf Goodwill of Greater Washington, I am writing to express our opposition to the proposed notice of rulemaking [Docket No. 2004-01-01] from the President's Committee for Purchase From People Who Are Blind or Severely Disabled. The proposed rulemaking on governance standards for central nonprofit agencies and nonprofit agencies participating in the Javits-Wagner-O'Day (JWOD) Program exceeds the scope of the Committee's authority and Congressional mandate.

Goodwill of Greater Washington's mission is to educate, train, employ and place people with disadvantages and disabilities, creating a stronger workforce and a more vital community while building dignity for the people we serve through the removal of barriers to personal success. We currently employ 381 of the community's disadvantaged and disabled.

The authorizing statute for the JWOD program clearly delineates the powers and responsibilities of the Committee (41 CFR 51-2.2, 41 U.S.C. § 46). These powers and responsibilities do not extend to governance standards or executive compensation. Both Congress and the Internal Revenue Service (IRS) have jurisdiction over these areas. The Committee is mandated with determining which commodities and services should be on the Committee's procurement list and fair market prices, and informing federal agencies about the JWOD program.

As a participating JWOD agency, we would hope that the Committee would comply fully with the Congressional intent to provide employment and training opportunities for persons who are blind or have other severe disabilities and not delve into areas for which it lacks both the Congressional and statutory authority necessary to promulgate governance and other standards. The proposed rules will impact the entire community of participating nonprofit agencies, despite the Committee's own comment that the overwhelming majority of JWOD-affiliated central nonprofits agencies and nonprofit agencies operate in an ethical and accountable manner.

Goodwill of Greater Washington

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The statutory authority and regulations, as well as the legislative history, in addition to the applicable federal case law, do not support the Committee's actions. Furthermore, we have concerns understanding the rationale for the Committee to purport to assume regulatory authority over the governance standards for nonprofit, tax-exempt 501 (c) (3) organizations, because numerous federal entities exist to regulate these organizations.

We believe that the proposed rules do not advance the Congressional intent of the enacting JWOD legislation, and would, if adopted, diminish the program's ability to increase employment opportunities for the blind and disabled. We respectfully request that the Committee not accept these misguided regulations, which are overreaching and not in the best interest of maintaining the JWOD program.

Sincerely,

A handwritten signature in cursive script that reads "Catherine Meloy".

Catherine Meloy
President and CEO
Goodwill of Greater Washington

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